

Resolution authorizing the settlement of a claim for damage to a 2004 Ford E250 Franklin County Sheriff's Office vehicle (Sheriff's Office) (\$17,794.10)

WHEREAS, on November 16, 2010, Franklin County Sheriff's Office vehicle 440, driven by Deputy Kelly Keys, was involved in an auto accident; and

WHEREAS, the operator of car 440 was traveling northbound on County Road 40 approaching the intersection of County Road 31; and

WHEREAS, Michael Hawthorn was traveling westbound in a 2004 GMC Sierra pickup truck, failed to stop at the stop sign, a violation of Ohio Revised Code Sec. 4511.43A, thereby striking vehicle 440 in the left side and caused severe and total damage to car 440; and

WHEREAS, Owner's Insurance Company, the automobile insurance carrier for Michael Hawthorn, has offered to pay Seventeen Thousand, Seven Hundred, Ninety Four and 10/100 dollars (\$17,794.10) to the Franklin County Commissioners, Franklin County Sheriff's Office and the Department of Fleet Management, for the property damage to vehicle 440 and in settlement of the property damage portion of this claim; and

WHEREAS, Franklin County Commissioners will retain title to the salvage vehicle; and

WHEREAS, there is currently a pending bodily injury claim arising out of this incident; and

WHEREAS, the above described settlement was recommended by Fleet Management, and fairly compensates for the property damage to vehicle 440; and

WHEREAS, the Franklin County Board of Commissioners deems it to be in the best interest to accept the same in full settlement of the property damage claim; and

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BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, FRANKLIN COUNTY, OHIO;

1. That the above-referenced settlement in the amount of Seventeen Thousand, Seven Hundred, Ninety Four and 10/100 dollars (\$17,794.10) is in the best interest of the Franklin County Commissioners, Franklin County Sheriff's Office and the Department of Fleet Management and the same is hereby approved.
2. That upon receipt of Seventeen Thousand, Seven Hundred, Ninety Four and 10/100 dollars (\$17,794.10) from Owner's Insurance Company, the above-referenced property damage claim shall be settled between Michael Hawthorn, their successors and assigns, and/or their heirs, executors and administrators, and also any and all other persons, associations, and corporations who may be jointly severally liable to the Franklin County Commissioners and the Department of Fleet Management.

Prepared by: Charlotte Ashcraft

cc: Bill Stehle, Assistant Prosecuting Attorney
Sheriff's Office, Department of Finance